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generating said pulsed dye laser at a pulse width of about 450
microseconds; and

energizing said collagen down to a depth of about 1.0-mm to about
1.2 mm. below the surface of the skin by said pulsed dye laser.

A2
Cont.

Please cancel claims 2-7 and 9 - 12 without prejudice,
renumbering the remaining claims accordingly.

Remarks

Reconsideration of the rejection of the present Application under
35 USC § 102(b) and 35 USC § 103(a) is hereby requested.

Claims 1 – 5 and 8 – 12 stand rejected under 35 USC § 102 (b) as being
anticipated by the '435 reference to Furumoto et al. Applicant has combined the
limitations of claims 5, 6 and 7 with claim 1, to overcome the anticipation
rejection of claim 1, and Applicant has combined the limitations of claims 9, 11

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and 12 with method claim 8 to overcome the anticipation rejection of such claim 8. Withdrawal of such rejection is solicited.

Examiner states that in col. 1, lines 53-61 of Furumoto et al. that lasers should emit energy in a range of 577 to 585 nm., and in col. 4, lines 53-57, that the lesion can include vessels underlying wrinkles. Furumoto et al. also states in col. 1, lines 60-61 that “The absorption of melanin, the principle pigment in the skin, is poor in this range, yielding the necessary selectivity.”, (emphasis added). This means that the particular treatment parameters are critical. Examiner states further that “operation at a pulse width of 1 msec. is regarded to be about 450 microsec.” (emphasis added). The Furumoto et al reference states that parameters are significant. The Examiner thus states that “less than half” is “about one whole”! Applicant respectfully disagrees with Examiner. Applicant also is supported by the Furumoto et al. reference. The parameters are critical and Examiner’s trivializing such parameters is improper. Applicant’s amendment to the independent claims 1 and 8 reciting the particular pulse width which is not taught nor suggested in its combination with the other limitations, by either of the references (Furumoto et al. or Eckhouse), is

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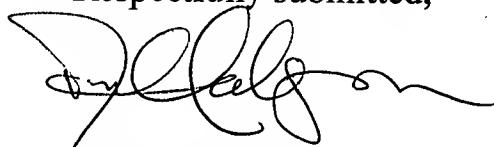
justification for withdrawal of the rejection of the claims under 35 USC § 102(b) and 35 USC § 103 (a). Such action is earnestly solicited. For the above reasons, such rejection of claims 1 and 8, under 35 USC § 103(a) should be withdrawn. The lack of teaching a pulsed dye laser and the lack of teaching of the depth of skin penetration by Applicant's laser invention should not be speculated upon.

Applicant also wishes to point out that the Eckhouse reference, as Examiner notes, does not teach use of a Pulsed Dye Laser, but Eckhouse merely cites the application of a "flashlamp" as skin treatment, and only in its penultimate paragraph does it state that "skin rejuvenation (treating wrinkles) should be effective". Nowhere in Eckhouse is there a suggestion of a pulsed dye laser treatment depth of at least 1.0 mm and 1.2 mm below the surface of the skin, as does Applicant's claims. Therefore, Eckhouse should be removed as a reference as non-combinable with the Furumoto et al. reference, along with the reference to Futurumoto et al, such action being earnestly solicited.

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Should the Examiner believe that any issue remains unresolved, the Examiner is requested to call the undersigned for a discussion of same.

Respectfully submitted,



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